



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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October 5, 2015

Via ECF and UPS Overnight

Hon. Jesse M. Furman
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: SEC v. Clarke Bethancourt, et al., No. 13 Civ. 3074 (JMF)

Dear Judge Furman:

Pursuant to the Court's order of August 2, 2013, I submit this letter on behalf of the Securities and Exchange Commission ("Commission") to update the Court on the status of the criminal cases related to the above-captioned action ("Action"), which was stayed on motion of the U.S. Attorney's Office pending resolution of the criminal proceedings. The Commission apologizes for the late submission of this update with the Court.

Ernesto Lujan ("Lujan"), Tomas Alberto Clarke Bethancourt ("Clarke"), and Jose Alejandro Hurtado ("Hurtado"), defendants in both this Action and the criminal actions, pleaded guilty to the criminal charges against them on August 29, 2013. Benito Chinaea ("Chinaea") and Joseph DeMeneses ("DeMeneses"), defendants in both this Action and the criminal actions, pleaded guilty in the criminal cases and were sentenced on March 27, 2015, as set forth in the March 31, 2015 letter of the U.S. Attorney's Office (DE 51). Maria de los Angeles Gonzales ("Gonzalez"), an additional criminal defendant, pleaded guilty on November 18.

Sentencing dates have been scheduled for Lujan (December 4, 2015), Clarke (December 8, 2015), and Gonzalez (December 10, 2015).

The Commission supports a continued stay of this action pending the resolution of the remaining criminal actions.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Howard A. Fischer 15".

Howard A. Fischer

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